

Report 4 of OC,CIC Meeting March 27, 2008

This meeting, conducted by Chairman Dave White was again an educational meeting. With an audience of at least 60 citizens Mr. Mike Hall, surveyor and president of the Dearborn County Area Planning commission and Mr. Mark McCormick, director of the Dearborn Co. zoning who has a background in planning, gave us almost 2 full hours of explaining the workings of Dearborn Co.'s area planning & zoning.

Dave White started their discussion by asking the question “ If you had a blank slate, what would you address?” Mr. Hall responded with these suggestions: what to regulate or not; know the purpose of your zoning; the comprehensive plan must be done before any zoning ordinances are formed; the comprehensive plan directs you in the purpose of a property being changed; if an issue goes to court, the comprehensive plan is essential for defending a decision by the zoning board; a comprehensive plan gives new people in the community an idea of what they can do in your county.

Dearborn Co. also used the HMTB Company to write their zoning text and as here in Franklin Co. they didn't listen to the people and their plan was rejected and Dearborn Co. opted to write their own by hiring planners on their staff to assist them.

As in previous meetings subdivisions were discussed and Mr. Hall stated that the reason for a more dense (more houses) subdivision was to preserve farmground. Dearborn Co. does not use but ag1 in their description of agricultural land. We have ag 1 & ag 2. The ground dictates what you can do with it. The buyer of land must use due diligence and seek a rezone prior to buying the property. If an industry they must do impact studies.

Instead of a score sheet like in Decatur Co., Dearborn Co. uses a technical review . Septic systems require two sites per tract in case of failure of the system there is room to do another one.

. The public must be made to understand that when building on a hilltop, the slope of the road cannot be over 15% or the county would never take it over. If they choose to build a private road, if it fails as in water erosion it is their responsibility.

Questions were answered regarding home businesses, pets which are restricted only in residential areas. That state & local health departments weigh in on pet issues also both state & local. Distinction between small & large animals is based on a weight of 150 lbs. Large is being 150 or over.

On the issue of protecting existing agricultural uses, Mr. Hall responded that disclosure should be sufficient. It is very difficult to balance the rights of the farm owners and their neighbors.

Adult entertainment is allowed in very limited areas. Zoning violation fines are from 10-300 dollars per day and a judge determines the amount.

The bottom line of all discussion about zoning is that the ordinances be written concisely and as simply as possible. Staff members change over the years and continuity of enforcement & interpretation is more consistent when ordinances are written as stated above.

A copy of the Dearborn County zoning was given to Chairman White by Mark McCormick and he gave the website on which their zoning is published. www.dearborncounty.org/planning.comrehensiveplan.

At the April 3 meeting Mr. Greg Sleipher of the Indiana Farm Bureau is expected to speak and possibly Mr. John Ertel. Larry Franzman is hopefully scheduled for April 10.